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11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA
13 WESTERN DIVISION

14 **UNITED STATES OF AMERICA, STATE**
15 **OF CALIFORNIA, ex rel.**
16 **VIKI BELL-MANAKO,**

17 Plaintiffs,

18 v.

19 **BRIUS MANAGEMENT CO., a**
California corporation; et al.,

20 Defendants.
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Case No. CV 11-02036 JFW
(AJWx)

**[PROPOSED] ORDER OF DISMISSAL
OF ACTION**

[JOINT STIPULATED REQUEST FOR
DISMISSAL OF ACTION; QUI TAM
PLAINTIFF'S REQUEST FOR
DISMISSAL OF ACTION AGAINST
REMAINING DEFENDANTS AND
UNITED STATES' AND
CALIFORNIA'S CONSENT THEREON
FILED CONCURRENTLY HERewith]

1 Plaintiffs the United States of America ("United States")
2 and the State of California ("California"), and qui tam
3 plaintiff Viki Bell-Manako (the "relator"), having jointly
4 requested, pursuant to Rule 41(a)(2) of the Federal Rules of
5 Civil Procedure, and in accordance with and subject to the
6 settlement agreement of October 31, 2017 ("the Settlement
7 Agreement"), among these parties and defendants Point Loma
8 Rehabilitation Center LLC dba Point Loma Convalescent Hospital,
9 B-San Diego LLC dba Brighton Place - San Diego, B-Spring Valley,
10 LLC dba Brighton Place - Spring Valley, and B-East dba Amaya
11 Springs Health Care Center, that the action against these four
12 defendants be dismissed, and the relator having further
13 requested, and the United States and California having given
14 their consent in the interests of justice, that the action
15 against defendants Brius Management Co., Brius LLC, Shlomo
16 Rechnitz, and Guy Reggev also be dismissed pursuant to Rule
17 41(a)(2) of the Federal Rules of Civil Procedure,

18 **IT IS ORDERED** that:

19 1. With respect to the Covered Conduct as defined in the
20 Settlement Agreement, the action against defendants Point Loma
21 Rehabilitation Center LLC dba Point Loma Convalescent Hospital,
22 B-San Diego LLC dba Brighton Place - San Diego, B-Spring Valley,
23 LLC dba Brighton Place - Spring Valley, and B-East dba Amaya
24 Springs Health Care Center is dismissed with prejudice as to the
25 United States, California, and the relator, subject to the terms
26 of the Settlement Agreement; and

27 2. With respect to conduct that is outside the Covered
28 Conduct as defined in the Settlement Agreement, the action

1 against defendants Point Loma Rehabilitation Center LLC dba
2 Point Loma Convalescent Hospital, B-San Diego LLC dba Brighton
3 Place - San Diego, B-Spring Valley, LLC dba Brighton Place -
4 Spring Valley, and B-East dba Amaya Springs Health Care Center
5 is dismissed without prejudice as to the United States and
6 California and with prejudice as to the relator, subject to the
7 terms of the Settlement Agreement.

8 3. The action against the remaining defendants, Brius
9 Management Co., Brius LLC, Shlomo Rechnitz, and Guy Reggev, is
10 dismissed without prejudice as to the United States and
11 California, and with prejudice as to the relator.

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14 Dated: _____
UNITED STATES DISTRICT JUDGE